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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LABOUR, SOCIAL WELFARE, CULTURAL AFFAIRS
AND SPORTS

Labour and Social Welfare Division

Section VI

NOTIFICATION

Dacca, the 20th November 1975.

No. S. R. O. 386/L/75/S-VI/1(16)/75/479.—In pursuance of sub-section (2) of section 37 of the Industrial Relations Ordinance, 1969 (XXIII of 1969), the Government is pleased to publish the awards and decisions of the Labour Court, Rajshahi, in respect of the following cases, namely:

- (1) Criminal Case No. 3 of 1975.
- (2) I. R. O. Case No. 72 of 1975.
- (3) Complaint Case No. 11 of 1975.
- (4) Complaint Case No. 17 of 1975.
- (5) Complaint Case No. 18 of 1975.
- (6) Complaint Case No. 19 of 1975.
- (7) I. R. O. Case No. 72 of 1974.

By order of the President
MUHAMMAD KHADEEM ALI
Deputy Secretary.

(3063)

Price: 45 Paisa.

IN THE LABOUR COURT AT RAJSHAHI IN BANGLADESH

Kazi Nazrul Islam Road, Rajshahi

CRIMINAL CASE No. 3 OF 1975

Thanda Mia, S/o. Tofazzal Hossain,
General Secretary,
Modhuban Cinema Hall Workers' Union,
C/o. General Secretary,
Jatio Sramik League,
(Formerly Sramik Federation),
Datta Bari, College Road,
Kalitola Hat,
P. O. and Dist. Bogra—*Petitioner*,

versus

Capt. A. Yunus, Proprietor,
Modhuban Cinema Hall,
Chelopara, P. O. and
Dist. Bogra—*Opposite Party*.

PRESENT:

Mr S. M. Serajul Mawla—*Chairman*.

Mr Md. Amjad Ali
Mr S. K. Paul .. } *Members*.

Order No. 3, dated 15-9-1975:

First party files a petition to withdraw the case. Prayer allowed. The case be withdrawn and the accused is hereby acquitted of the charge brought against him.

Sd/—Md. Amjad Ali.
Sd/—S. K. Paul.
15-9-1975.

S. M. SERAJUL MAWLA
Chairman,
Labour Court, Rajshahi.
15-9-1975.

Typed by Mr Md. Nurul Hoque,
Stenographer,
Labour Court, Rajshahi.

S. M. SERAJUL MAWLA
Chairman,
Labour Court, Rajshahi.
15-9-1975.

IN THE LABOUR COURT AT RAJSHAHI IN BANGLADESH

Kazi Nazrul Islam Road, Rajshahi

I.R.O. CASE No. 72 OF 1975.

Ruhul Amin,
S/o. Abdul Halim,
Pramanikpara,
P.O. Boda, Dist. Dinajpur,
at present Shaper-cum-Driller (Mechanical),
Rajshahi Sugar Mills, Harian,
P.O. Shyampur, Dist. Rajshahi—*Petitioner*,

versus

- (1) Manager,
Panchagarh Sugar Mills,
P.O. Panchagarh,
- (2) General Manager,
Rajshahi Sugar Mills (Harian),
P.O. Shyampur, Dist. Rajshahi.
- (3) Chairman,
Bangladesh Sugar Corporation,
9, Shilpa Bhaban, Dacca—*Opposite Parties*.

PRESENT:

Mr S. M. Serajul Mawla—*Chairman*.

Mr S.K. Paul .. }
Mr Md. Amjad Ali } *Members*.

Order No. 4, dated 22-9-1975:

Petitioner absent on repeated calls and took no step. O.P. present. Perused the petition and papers produced by the second party. It appears that the petitioner worked for more than two months during the period of liberation. Petitioner also admitted that he had to work under compulsion. Hence he was not entitled to nine months' pay. The second party is justified in realising the excess payment made to him. The case is frivolous and does not lie. Hence the prayer for injunction is rejected and the case be dismissed as not maintainable.

Sd/—Md. Amjad Ali.

Sd/—S. K. Paul.

22-9-1975.

S. M. SERAJUL MAWLA

Chairman,

Labour Court, Rajshahi.

22-9-1975.

Typed by Mr Md. Nural Hoque,
Stenographer,
Labour Court, Rajshahi.

S. M. SERAJUL MAWLA

Chairman,

Labour Court, Rajshahi.

22-9-1975.

IN THE LABOUR COURT AT RAJSHAHI IN BANGLADESH

Kazi Nazrul Islam Road, Rajshahi

COMPLAINT CASE No. 11 OF 1975

- (1) Md. Fazlul Hoque,
S/o. Ramzais Ali Mia.
- (2) Md. Mofazzal Hossain,
S/o. Md. Mojammal Hossain,
both Lathman,
Bhandari Iron Works, Bogra,
C/o. General Secretary,
Bogra Dist. Sramik Federation,
College Road, Kalitala Hat,
P.O. and Dist. Bogra—*Petitioners*,

versus

Golam Kibria,
Managing Partner,
Bhandari Iron Works,
College Road,
P.O. and Dist. Bogra—*Opposite Party*.

PRESENT:

Mr S.M. Serajul Mawla—*Chairman*.

Order No. 7, dated 25-9-1975:

On the prayer of the petitioner the case be withdrawn without cost.

S. M. SERAJUL MAWLA
Chairman,
Labour Court, Rajshahi.
25-9-1975.

Typed by Mr Md. Nural Hoque,
Stenographer,
Labour Court, Rajshahi.

S. M. SERAJUL MAWLA
Chairman,
Labour Court, Rajshahi.
25-9-1975.

IN THE LABOUR COURT AT RAJSHAHI IN BANGLADESH

Kazi Nazrul Islam Road, Rajshahi

COMPLAINT CASE No. 17 OF 1975.

Ranjit Chandra Das,
S/o. Ananta Chandra Das,
C/o. General Secretary,
Jatiyo Sramik League
(formerly Labour Federation),
Datta Bari, College Road,
Kalitola Hat, P. O. and Dist. Bogra—*Petitioner*,

versus

Capt. A. Yunus,
Proprietor,
Modhuban Cinema Hall,
Chelopara, P. O. and Dist. Bogra—*Opposite Party*.

PRESENT:

Mr S. M. Serajul Mawla—*Chairman*.

Mr Md. Amjad Ali
Mr S. K. Paul } *Members.*

Order No. 5, dated 17-9-1975:

On the prayer of the petitioner the case be dismissed for non-prosecution.

Sd/—Md. Amjad Ali.
Sd/—S. K. Paul.
17-9-1975.

S. M. SERAJUL MAWLA
Chairman,
Labour Court Rajshahi.
17-9-1975.

Typed by Mr Md. Nural Hoque
Stenographer,
Labour Court, Rajshahi.

S. M. SERAJUL MAWLA
Chairman,
Labour Court, Rajshahi.
17-9-1975.

IN THE LABOUR COURT AT RAJSHAHI IN BANGLADESH

Kazi Nazrul Islam Road, Rajshahi

COMPLAINT CASE No. 18 OF 1975.

Thanda Mia,

S/o. Tofazzal Hossain

C/o. General Secretary,

Jatiya Sramik League

(formerly Sramik Federation),

Dattabari, College Road,

Kalitola Hat, P. O. and Dist. Bogra—*Petitioner,*

versus

Capt. A. Yunus,

Proprietor, Modhuban Cinema Hall,

Chelopara,

P. O. and Dist. Bogra—*Opposite Party,*

PRESENT:

Mr S. M. Serajul Mawla—*Chairman.*

Mr Md. Amjad Ali

Mr S. K. Paul

} *Members.*

Order No. 5, dated 22-9-1975:

Parties absent on repeated calls.

Ordered

That the case be dismissed for default.

Sd/—Md. Amjad Ali.

22-9-1975.

Sd/—S. K. Paul.

22-9-1975.

S. M. SERAJUL MAWLA

Chairman,

Labour Court, Rajshahi.

22-9-1975.

Typed by Mr Md. Nural Hoque,

Stenographer,

Labour Court, Rajshahi.

S. M. SERAJUL MAWLA

Chairman,

Labour Court, Rajshahi.

22-9-1975.

IN THE LABOUR COURT AT RAJSHAHI IN BANGLADESH

Kazi Nazrul Islam Road, Rajshahi

COMPLAINT CASE No. 19 OF 1975.

Zarina,

Gate-Keeper,

Madhuban Cinema Hall,

C/o. General Secretary,

Jatiya Sramik League

(formerly Sramik Federation),

Dattabari, College Road,

Kalitola Hat, P. O. and Dist. Bogra—*Petitioner*,

versus

Capt. M. A. Yunus,

Prop. Modhuban Cinema Hall,

Chelopara, P. O. and Dist. Bogra—*Opposite Party*.

PRESENT:

Mr S. M. Serajul Mawla—*Chairman*.

Mr Md. Amjad Ali

Mr S. K. Paul

} *Members*.

Order No. 5, dated 17-9-1975:

On the prayer of the petitioner the case be dismissed for non-prosecution.

Sd/- Md. Amjad Ali.

Sd/- S. K. Paul.

17-9-1975.

S. M. SERAJUL MAWLA

Chairman,

Labour Court, Rajshahi.

17-9-1975.

Typed by Mr Md. Nural Hoque,

Stenographer,

Labour Court, Rajshahi.

S. M. SERAJUL MAWLA

Chairman,

Labour Court, Rajshahi.

17-9-1975.

IN THE LABOUR COURT AT RAJSHAHI IN BANGLADESH

Kazi Nazrul Islam Road, Rajshahi

I. R. O. CASE No. 72 OF 1974.

Md. Kashem Ali Shah,
 Driver,
 Oil Mill,
 C/o. Jatiyo Sramik League,
 Natore, Rajshahi—~~Petitioner,~~

versus

M/s. Harduwar Agarwala,
 Owner,
 Oil Mill, Atta Mill and Rice Mill,
 P. O. Natore, Dist. Rajshahi—*Opposite Party.*

PRESENT:

Mr S. M. Serajul Mawla—*Chairman.*

Mr Md. Amjad Ali

Mr S. K. Paul

} *Members.*

Dated the 22nd September 1975:

This is a case under section 34 of Industrial Relations Ordinance. Petitioner claims that he was a permanent employee under second party O.P. working for the last three years but was dismissed on 4-9-1974, without notice or assigning any reason. The contention of the second party is that the petitioner served in his mill as a temporary day labourer intermittently during the period from March, 1974 to July, 1974 and used to receive his pay daily. There was never any relationship of employer and employee between the parties, petitioner was not bound to work on any fixed rate of pay daily nor the O.P. had any obligation to engage him daily. Petitioner worked under the 2nd party as and when required with liberty to work anywhere he liked and as a matter of fact he was not appointed by any letter or agreement and he himself did not turn up to work in the mill since September, 1974. He had no right to bring this case having no cause action.

Hence the only question for determination in this case is if the petitioner was a permanent employee under the second party and if he was dismissed on 4-9-1974. At para one of the petition it is stated that the petitioner was dismissed without notice or without assigning any reason. The question of dismissal does not arise when there is no employment for a fixed period or when the employment is not governed by any contract or laws. Petitioner admitted that he had no paper to show that he was an employee under the second party. Petitioner said that his monthly pay was Tk. 160. All the papers of the opposite party were called for but petitioner's name finds place nowhere. O.P.W. No. 1 stated that the employees received their pay after putting signature in the Acquittance Roll but the daily workers were paid from the daily earning and no account is maintained for such payment and the daily income is calculated

after deduction of expenditure on account of daily wages. Considering the evidence and on perusal of papers produced I am definitely of the opinion that the petitioner was never an employee of the opposite party and he has no *locus standi* to bring the case.

Learned Members consulted.

Hence Ordered

That the case be dismissed on contest without cost.

Sd/-Md. Amjad Ali.
Sd/-S.K. Paul.

S. M. SERAJUL MAWLA
Chairman,
Labour Court, Rajshahi.
22-9-1975.

Note taken and transcribed by
Mr Md. Nural Hoque, at my
dictation and corrected by me.

S. M. SERAJUL MAWLA
Chairman,
Labour Court, Rajshahi.
22-9-1975

বাংলাদেশ নির্বাচন কমিশন

ফরম ত

[৪৩ নিয়ম দ্রষ্টব্য]

চেয়ারম্যান/ভাইস-চেয়ারম্যান/মেম্বার পদে নির্বাচিত প্রার্থীগণের তালিকা।

জিলা—মশোহর, মহকুমা—ঝিনাইদহ, থানা—শৈলকুপা।

ক.উনিয়নের নাম।	ওয়ার্ড নম্বর।	নির্বাচিত প্রার্থীর নাম, পিতার নাম ও ঠিকানা।	যে পদে নির্বাচিত হইয়াছেন।	মন্তব্য।
১	২	৩	৪	৫

দুধসর আমিনুল ইসলাম, পিতা কজিনুদ্দী, ভাইস-চেয়ারম্যান।
সং ও পোঃ দুধসর।

স্থান—ঝিনাইদহ,
তারিখ—১৯-১১-১৯৭৫।

[অস্পষ্ট]
রিটািং অফিসার।

জিলা—মশোহর, মহকুমা—ঝিনাইদহ, থানা—ঝিনাইদহ।

পদ্মািকর মমিনউদ্দিন বিশ্বাস, পিতা আজিল- ভাইস-চেয়ারম্যান।
উদ্দিন বিশ্বাস, সং ছয়াইল, পোঃ
হাট গোপালপুর।

স্থান—ঝিনাইদহ,
তারিখ—১৯-১১-১৯৭৫।

[অস্পষ্ট]
রিটািং অফিসার।

১	২	৩	৪	৫
দৌলতপুর	২নং ওয়ার্ড	জিলা—যশোর, মহকুমা—ঝিনাইদহ, থানা—হরিণাকুন্ডু। কিতাবদি মণ্ডল, পিতা হেরাজ মণ্ডল, মেসার। সাং ভেড়াখালি, পোঃ হরিণাকুন্ডু।	[অস্পষ্ট] রিটািং অফিসার।	
	স্থান—ঝিনাইদহ, তারিখ—১৯-১১-১৯৭৫।			
চাঁদপুর	৩নং ওয়ার্ড	জিলা—যশোর, মহকুমা—ঝিনাইদহ, থানা—হরিণাকুন্ডু। আঃ হানিদ, পিতা ইসমাইল, মেসার। সাং ছোটভাদড়া, পোঃ ভাটাই।	[অস্পষ্ট] রিটািং অফিসার।	
	স্থান—ঝিনাইদহ, তারিখ—১৯-১১-১৯৭৫।			
বারোবাজার	২নং ওয়ার্ড	জিলা—যশোর, মহকুমা—ঝিনাইদহ, থানা—হরিণাকুন্ডু। মোঃ হেদায়েতুল্লা, পিতা রহমতুল্লা, মেসার। সাং ফুলবাড়ী, পোঃ বারোবাজার।	[অস্পষ্ট] রিটািং অফিসার।	
	স্থান—ঝিনাইদহ, তারিখ—১৯-১১-১৯৭৫।			
বেগমগঞ্জ	১নং ওয়ার্ড	জিলা—রংপুর, মহকুমা—কুড়িগ্রাম, থানা—উলপাড়া। উমর আলী, পিতা ইসমাইল মেসার। ব্যাপারী, সাং আকেল মানুদ, ডাকঘর যাত্রাপুর।	[অস্পষ্ট] রিটািং অফিসার।	
	স্থান—কুড়িগ্রাম, তারিখ—১০-১১-১৯৭৫।		মোঃ আজিজুর রহমান রিটািং অফিসার।	
৮ নং দরবেশপুর ইউনিয়ন পরিষদ।	৩নং ওয়ার্ড	জিলা—নোয়াখালী, মহকুমা—নোয়াখালী সদর, থানা—রামগঞ্জ। আবুল কাসেম, পিতা আবদুল খালেক, মেসার। সাং আলীপুর, ডাকঘর আলীপুর।	আবু আহমদ রিটািং অফিসার।	
	স্থান—মাইজদী কোর্ট, তারিখ—১১-১১-১৯৭৫।			
১ নং সিরাজপুর	১নং ওয়ার্ড	জিলা—নোয়াখালী, মহকুমা—সদর, থানা—কোম্পানীগঞ্জ। মাষ্টার দীন মহাং, পিতা হাজী আঃ মেসার। গণি, সাং মহাম্মদনগর, পোঃ ইরাকুব- পুর এতিমখানা বাহার।	মকবুল আহমদ রিটািং অফিসার।	
	স্থান—মাইজদী কোর্ট, তারিখ—১০-১১-১৯৭৫।			